

IN THE UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

ORANGE COUNTY COASTKEEPER, a
California non-profit corporation,

Plaintiff,

v.

CITY OF SAN JUAN CAPISTRANO, a
California municipal corporation;
BLENHEIM FACILITY MANAGEMENT,
LLC, a Delaware limited liability company,

Defendants.

Case No.: 8:17-cv-00956-JLS-DFM

Hon. Josephine L. Staton
Courtroom 10A

**ORDER ENTERING CONSENT
DECREE FOLLOWING
APPROVAL OF UNITED
STATES**

Complaint Filed: June 2, 2017
Trial Date: None

TO ALL PARTIES AND THEIR COUNSEL OF RECORD:

Before the Court is a joint request by the parties to enter a Consent Decree. The United States Department of Justice (“DOJ”) has separately filed a Notice of No Objection to Consent Judgment and does not oppose entry of the Consent Decree. ECF #63.

1 Courts should enter a proposed consent decree if it is fair, reasonable and
2 equitable and does not violate the law or public policy. *Sierra Club, Inc. v.*
3 *Electronic Controls Design, Inc.*, 909 F.2d 1350, 1355 (9th Cir. 1990). A court's
4 focus should be upon the purposes which the statute, here the Clean Water Act, is
5 intended to serve. *See Citizens for a Better Environment v. Gorsuch*, 718 F.2d 1117,
6 1125 (D.C. Cir. 1983). As long as the consent decree comes within the "general
7 scope of the pleadings," furthers the "objectives upon which the law is based," and
8 does not violate the statute upon which the complaint is based, the court may enter
9 the agreement. *Sierra Club, supra*, at 1355 (quoting *Local No. 93, Int'l Ass'n of*
10 *Firefighters, AFL-CIO v. City of Cleveland*, 478 U.S. 501, 525-26 (1986).

11 Based upon the record before the Court, including DOJ's briefing and
12 approval, the Court finds the parties' proposed Consent Decree, attached hereto, to be
13 consistent with the purposes of the Clean Water Act and in furtherance of its goals.
14 The Court takes note of the injunctive relief provided in the agreement, the
15 Supplemental Environmental Project to which Defendants' have agreed, the number
16 of complex issues litigated, and the procedural posture of, and length of time
17 involved in litigating, the case. The Court therefore finds good cause to GRANT the
18 parties' request and hereby ENTERS the proposed Consent Decree. Separately, the
19 Court enters Judgment.

20 **IT IS SO ORDERED.**

21 Dated: November 13, 2018



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23
24 Honorable Josephine L. Staton
United States District Judge